

**REMARKS**

Claims 1 and 3-7 are pending in this application. Claim 2 is withdrawn. By this Amendment, claim 1 is amended.

In sections 3-7 on pages 3-5, the Office Action rejects claims 1 and 3-7 under 35 U.S.C. §103(a) over Ogishima et al. (U.S. Patent No. 6,788,375) in view of Okamoto et al. (U.S. Patent No. 6,281,952). Specifically, the Office Action asserts that Ogishima discloses all of the features of independent claim 1 except for the feature where an opening is provided in the common electrode at a position corresponding to the inclined plane of the thickness-adjusting layer. In regard to this feature, the Office Action combines Ogishima with Okamoto's disclosure in Figure 27. The Office Action asserts that Figure 27 of Okamoto discloses a common electrode (counter electrode 502) with openings corresponding to a thickness-adjusting layer (insulation film 25), and that it would have been obvious to modify Ogishima with the teaching of Okamoto. This rejection is respectfully traversed.

Claim 1, from which claims 3-7 depend, recites an opening in the electrode according to the recited combination. The Office Action fails to identify where openings are disclosed in counter electrode 502 of Figure 27. As shown in Figure 27, counter electrode 502 is continuous across the reflective and transmission display sections 9 and 10. The color filters (61R, 61G, and 61B) are not the counter electrode 502. Okamoto thus fails to provide the feature admittedly missing from Ogishima.

For at least the foregoing reasons, it is respectfully requested that the rejection of claims 1 and 3-7 as being unpatentable over Ogishima in view of Okamoto, be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1 and 3-7 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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